Permit #: **28.0702-02**

Effective Date: **Draft**

Expiration Date: **Draft**

SOUTH DAKOTA DEPARTMENT OF

ENVIRONMENT AND NATURAL RESOURCES

TITLE V AIR QUALITY PERMIT

Steven M. Pirner, P.E., Secretary
Department of Environment and Natural Resources

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Under the South Dakota Air Pollution Control Regulations

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to operate is hereby issued by the Secretary of the Department of Environment and Natural Resources. This permit authorizes such owner to operate the unit(s) at the location designated below and under the listed conditions:

A. Owner

1. Company Name and Mailing Address

Rocky Mountain Pipeline System LLC
1575 Hwy 150 South Suite E
Evanston, WY 82930

2. Actual Source Location if Different from Above

3225 Elgin Street
Rapid City, SD 57701

3. Permit Contact

Tom McCormick
(307) 783-8336

4. Facility Contact

Tom McCormick
(307) 783-8336

5. Responsible Official

Troy Valenzuela
(307) 783-8336

B. Permit Revisions or Modifications

Not applicable

C. Type of Operation

Refined petroleum pipeline distribution terminal

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1.0 STANDARD CONDITIONS

1.1 Operation of source. In accordance with Administrative Rules of South Dakota (ARSD) 74:36:05:16.01(8), the owner or operator shall operate the units, controls, and processes as described in Table 1-1 in accordance with the statements, representations, and supporting data contained in the complete permit application submitted and dated January 10, 2012, unless modified by the conditions of this permit. Except as otherwise provided herein, the control equipment shall be operated at all times in accordance with the manufacturer's specification and in a manner that achieves compliance with the conditions of this permit. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

Unit	Description	Maximum Capacity	Control Equipment
#1	A submerged-fill truck loading rack to load product into trucks.	Not applicable	Vapor combustor
	John Zink vapor combustor fired with natural gas.	52 million Btus per hour	
#2	Tank 10-53 - 1962 above ground external floating roof storage tank	424,620 gallons	Not applicable
#3	Tank 10-54 - 1962 above ground external floating roof storage tank	424,620 gallons	Not applicable
#4	Tank 11-1 - 1962 above ground fixed roof storage tank	475,860 gallons	Not applicable
#5	Tank 12-1 - 1989 above ground internal floating roof storage tank	510,468 gallons	Not applicable
#6	Tank 14-1 – 1962 above ground external floating roof storage tank	581,580 gallons	Not applicable
#7	Tank 17-1 - 1962 above ground fixed roof storage tank	705,180 gallons	Not applicable
#8	Tank 20-27 - 1962 above ground fixed roof storage tank	845,880 gallons	Not applicable
#9	Tank 24-1 - 1962 above ground external floating roof storage tank	1,015,140 gallons	Not applicable
#10	Tank 24-2 - 1962 above ground external floating roof storage tank	1,015,140 gallons	Not applicable
#11	Tank 24-3 - 1968 above ground fixed roof storage tank	1,015,140 gallons	Not applicable
#12	Tank 33-1 - 1962 above ground external floating roof storage tank	1,381,800 gallons	Not applicable
#13	Tank 33-2 - 1969 above ground internal	1,381,842 gallons	Not applicable

Unit	Description	Maximum Capacity	Control Equipment
	floating roof storage tank		
#14	Tank 33-3 - 1969 above ground internal floating roof storage tank	1,381,842 gallons	Not applicable
#16	1988 Industrial Manufacturing Systems electrical generator	40 Kilowatts	Not applicable

1.2 Duty to comply.

In accordance with ARSD 74:36:05:16.01(12), the owner or operator shall comply with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of a permit renewal application. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit.

1.3 Property rights or exclusive privileges.

In accordance with ARSD 74:36:05:16.01(12), the State's issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort, any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant that the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights, infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.

1.4 Penalty for violating a permit condition.

In accordance with South Dakota Codified Laws (SDCL) 34A-1-39 and 34A-1-47, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than $10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.

1.5 Inspection and entry.

In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary to:

1. Enter the premises where a regulated activity is located or where pertinent records are stored;
2. Have access to and copy any records that are required under this permit;

3. Inspect operations regulated under this permit; and/or
4. Sample or monitor any substances or parameters for the purpose of assuring compliance.

1.6 Severability.

In accordance with ARSD 74:36:05:16.01(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.

1.7 Permit termination, modification, or revocation.

In accordance with ARSD 74:36:05:46, the Secretary may recommend that the Board of Minerals and Environment terminate, modify, or revoke this permit for violations of SDCL 34A-1 or the federal Clean Air Act or for nonpayment of any outstanding fee or enforcement penalty.

1.8 Credible evidence.

In accordance with ARSD 74:36:13:07, credible evidence may be used for the purpose of establishing whether the owner or operator has violated or is in violation of this permit. Credible evidence is as follows:

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at the source:
   a. A monitoring method approved for the source pursuant to 40 CFR § 70.6(a)(3) and incorporated in this permit; or
   b. Compliance methods specified in an applicable plan;
2. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information-gathering methods:
   a. Any monitoring or testing methods approved in this permit, including those in 40 CFR Parts 51, 60, 61, and 75; or
   b. Other testing, monitoring, or information-gathering methods that produce information comparable to that produced by any method in section (1) or (2)(a).

2.0 PERMIT FEES

2.1 Annual air fee required.

In accordance with ARSD 74:36:05:06.01, the owner or operator shall submit an annual administrative fee and an annual fee. The fee is based on actual emissions in accordance with ARSD 74:37.

2.2 Annual operational report.

In accordance with ARSD 74:37:01:06, the Secretary will supply the owner or operator with an annual operational report in January of each year. The owner or operator shall complete and submit the operational report to the Secretary by March 1 of each year. The responsible official shall sign the operational report in the presence of a notary public.

2.3 Annual air fee.

In accordance with ARSD 74:37:01:08, the Secretary will notify the owner or operator of the required annual air emission fee and administrative fee by June 1 of each year. The fees shall accrue on July 1 and are payable to the Department of Revenue by July 31 of each year.

3.0 PERMIT AMENDMENTS AND MODIFICATIONS

3.1 Permit flexibility.

In accordance with ARSD 74:36:05:30, the owner or operator shall have the flexibility to make changes to the source during the term of this permit. The owner or operator shall provide the Secretary written notice at least seven days in advance of the proposed change (NOTE: The Secretary will forward a copy of the written notice to EPA). The written notice shall include a brief description of the change, the date on which the change is to occur, any change in emissions, the proposed changes to the permit, and whether the requested revisions are for an administrative permit amendment, minor permit amendment, or permit modification.

The Secretary will notify the owner or operator whether the change is an administrative permit amendment, a minor permit amendment, or a permit modification. A proposed change that is considered an administrative permit amendment or a minor permit amendment can be completed immediately after the Secretary receives the written notification. The owner or operator must comply with both the applicable requirements governing the change and the proposed permit terms and conditions until the Secretary takes final action on the proposed change.

A proposed change that is considered a modification cannot be constructed until the Secretary takes final action on the proposed change. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

3.2 Administrative permit amendment.

In accordance with ARSD 74:36:05:33, the Secretary has 60 days from receipt of a written notice to verify that the proposed change is an administrative permit amendment. As provided in ARSD 74:36:01:03, the Secretary considers a proposed change an administrative permit amendment if the proposed change accomplishes one of the following:

1. Corrects typographical errors;
2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change at the source;
3. Requires more frequent monitoring or reporting by the source;
4. The ownership or operational control of a source change and the Secretary determines that no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
5. Any other changes that the Secretary and the administrator of EPA determines to be similar to those requirements in this condition.

3.3 Minor permit amendment.

In accordance with ARSD 74:36:05:38, the Secretary has 90 days from receipt of a written notice or 15 days after the end of EPA's 45-day review period, whichever is later, to take final action on a minor permit amendment. Final action consists of issuing or denying a minor permit amendment or determining that the proposed change is a permit modification. As provided in ARSD 74:36:05:35, the Secretary considers a proposed change to be a minor permit amendment if the proposed change:

1. Does not violate any applicable requirements;
2. Does not involve significant changes to existing monitoring, reporting, or record keeping requirements;
3. Does not require or change a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
4. Does not seek to establish or change a permit term or condition for which the source has assumed to avoid an applicable requirement, a federally enforceable emission cap, or an alternative emission limit. An alternative emission limit is approved pursuant to regulations promulgated under section 112(i)(5) of the federal Clean Air Act.

3.4 Permit modification.

In accordance with ARSD 74:36:05:39, an owner or operator may apply for a permit modification. A permit modification is defined in ARSD 74:36:01:10 as a physical change in or change in the operation of a source that results in at least one of the following:

1. An increase in the amount of an air pollutant emitted by the source or results in the emission of an air pollutant not previously emitted;
2. A significant change to existing monitoring, reporting, or record keeping requirements in the permit;
3. The change requires or changes a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
4. The change seeks to establish or change a permit term or condition for which there is a corresponding underlying applicable requirement that the source has assumed to avoid an applicable requirement, a federally enforceable emissions cap assumed to avoid classification as a modification under a provision of the Title I of the Clean Air Act, or an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act.

Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

3.5 Permit revision.

In accordance with ARSD 74:36:05:40, the Secretary may reopen and revise this permit to meet requirements of SDCL 34A-1 or the federal Clean Air Act.

3.6 Testing new fuels or raw materials.

In accordance with ARSD 74:36:11:04, an owner or operator may request permission to test a new fuel or raw material to determine if it is compatible with existing equipment before requesting a permit amendment or modification. A complete test proposal shall consist of the following:

1. A written proposal that describes the new fuel or raw material, operating parameters, and parameters that will be monitored and any testing associated with air pollutant emissions during the test;
2. An estimate of the type and amount of regulated air pollutant emissions that will result from the proposed change; and
3. The proposed schedule for conducting the test. In most cases the owner or operator will be allowed to test for a maximum of one week. A request for a test period longer than one week will need additional justification. A test period shall not exceed 180 days.

The Secretary shall approve, conditionally approve, or deny in writing the test proposal within 45 days after receiving a complete proposal. Approval conditions may include changing the test schedule or pollutant sampling and analysis methods. Pollutant sampling and analysis methods may include, but are not limited to performance testing, visible emission evaluation, fuel analysis, dispersion modeling, and monitoring of raw material or fuel rates.

If the Secretary determines that the proposed change will result in an increase in the emission of a regulated air pollutant or result in the emission of an additional regulated air pollutant, the Secretary shall give public notice of the proposed test for 30 days. The Secretary shall consider all comments received during the 30-day public comment period before making a final decision on the test.

The Secretary will not approve a test if the test would cause or contribute to a violation of a national ambient air quality standard.

4.0 PERMIT RENEWALS

4.1 Permit effective.

In accordance with ARSD 74:36:05:07, this permit shall expire five years from date of issuance unless reopened or terminated for cause.

4.2 Permit renewal.

In accordance with ARSD 74:36:05:08, the owner or operator shall submit an application for a permit renewal at least 180 days before the date of permit expiration if the owner or operator wishes to continue an activity regulated by this permit. The current permit shall not expire and shall remain in effect until the Secretary takes final action on the timely permit renewal application.

4.3 Permit expiration.

In accordance with ARSD 74:36:05:28, permit expiration terminates the owner's or operator's right to operate any unit covered by this permit.

5.0 RECORDKEEPING AND REPORTING

5.1 Recordkeeping and reporting.

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the date of sample, measurement, report, or application unless otherwise specified in this permit. The records shall be maintained on site for the first two years and may be maintained off site for the last three years. All records must be made available to the Secretary for inspection. All notifications and reports shall be submitted to the following address:

South Dakota Department of Environment and Natural Resources
PMB 2020, Air Quality Program
523 E. Capitol, Joe Foss Building
Pierre, SD 57501-3182

5.2 Signatory Requirements.

In accordance with ARSD 74:36:05:12 and ARSD 74:36:05:16.01, all applications submitted to the Secretary shall be signed and certified by a responsible official. A responsible official for a corporation is a responsible corporate officer and for a partnership or sole proprietorship is a general partner or the proprietor, respectively. All reports or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Secretary; and
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The responsible official shall notify the Secretary if an authorization is no longer accurate. The new duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative.

5.3 Certification statement.

In accordance with ARSD 74:36:05:16.01(14)(a), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

"I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete."

5.4 Monitoring log.

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain a monitoring log. The monitoring log shall contain the following information.

1. Maintenance schedule for each piece of control equipment listed in Table 1-1. At a minimum, the maintenance schedule shall meet the manufacturer's recommended schedule for maintenance. The following information shall be recorded for maintenance:
   a. Identify the unit;
   b. The date and time maintenance was performed;
   c. Description of the type of maintenance;
   d. Reason for performing maintenance;
   e. Signature of person performing maintenance;
2. The owner or operator shall maintain relevant records of the occurrence and duration of each startup, shutdown, or malfunction of process equipment and/or air pollution control equipment; and
3. The following information shall be recorded within two days of each emergency exceedance:
   a. The date of the emergency exceedance and the date the emergency exceedance was reported to the Secretary;
   b. The cause(s) of the emergency;
   c. The reasonable steps taken to minimize the emissions during the emergency; and
   d. A statement that the permitted equipment was at the time being properly operated.

5.5 Tank truck vapor tightness documentation.

In accordance with ARSD 74:36:07:23, as referenced to 40 C.F.R. § 60.505(a), the tank truck vapor tightness documentation for each gasoline tank truck which is to be loaded at the terminal shall be kept on file at the terminal in a permanent form available for inspection.

5.6 Tank truck vapor tightness documentation updates.

In accordance with ARSD 74:36:07:23, as referenced to 40 C.F.R. § 60.505(b), the owner or operator shall update each gasoline tank truck file at least once per year to reflect current test results as determined by Method 27. This documentation shall include the following information at a minimum:

1. Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27;
2. Tank owner and address;
3. Tank identification number;
4. Testing location;
5. Date of test;
6. Tester name and signature;
7. Witnessing inspector, if any: name, signature, and affiliation; and
8. Test results: Actual pressure change in 5 minutes, millimeters of water (average for 2 runs).

5.7 Leak inspection record.

In accordance with ARSD 74:36:07:23, as referenced to 40 C.F.R. § 60.505(c), the owner or operator shall maintain on file at the terminal for at least 2 years a record of each monthly leak inspection required under condition 8.9. The following information must be contained in the file, at a minimum:

1. Date of inspection;
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak);
3. Leak determination method;
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days); and
5. Inspector name and signature.

5.8 Record of notifications.

In accordance with ARSD 74:36:07:23, as referenced to 40 C.F.R. § 60.505(d), the owner or operator shall keep documentation of all notifications required under condition 8.4 (4) on file at the terminal for at least 2 years.

5.9 Annual compliance certification.

In accordance with ARSD 74:36:05:16.01(14), the owner or operator shall submit an annual compliance certification letter to the Secretary by March 1 of each year this permit is in effect (NOTE: The Secretary will forward a copy of the certification letter to EPA). The certification shall contain the following information:

1. Methods used to determine compliance, including: monitoring, record keeping, performance testing and reporting requirements;
2. The source is in compliance and will continue to demonstrate compliance with all applicable requirements;
3. In the event the source is in noncompliance, a compliance plan that indicates how the source has or will be brought into compliance; and
4. Certification statement required in permit condition 5.3.

5.10 Reporting permit violations.

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Environment and Natural Resources at (605) 773-3151 or by FAX at (605) 773-5286.

A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

1. Description of the permit violation and its cause(s);
2. Duration of the permit violation, including exact dates and times; and
3. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

6.0 CONTROL OF REGULATED AIR POLLUTANTS

6.1 Visibility limit.

In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table 1-1. This provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

6.2 Visibility exceedances.

In accordance with ARSD 74:36:12:02, an exceedance of the operating limit in permit condition 6.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. Malfunction means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator of the source is not a malfunction and is considered a violation.

6.3 Air emission exceedances – emergency conditions.

In accordance with ARSD 74:36:05:16.01(18), the Secretary will allow for an unavoidable emission exceedance of a technology-based emission limit if the exceedance is caused by an emergency condition and immediate action is taken by the owner or operator to restore the operations back to normal. An emergency condition is a situation arising from a sudden and reasonably unforeseeable event beyond the control of the source, including acts of God. An emergency shall not include an emission exceedance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. The owner or operator shall notify the Secretary within two working days of the incident and take all steps possible to eliminate the excess emissions. The notification must provide a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. If the notification is submitted orally, a written report summarizing the information required by the notification shall be submitted and postmarked within 30 days of the oral notification

6.4 Circumvention not allowed.

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.12, the owner or operator may not install, use a device, or use a means that conceals or dilutes an air emission that would otherwise violate this permit. This includes operating a unit or control device that emits air pollutants from an opening other than the designed stack, vent, or equivalent opening.

6.5 Minimizing emissions.

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.11(d), the owner or operator shall at all times, when practicable, maintain and operate all permitted units in a manner that minimizes air pollution emissions.

6.6 Daily gasoline throughput restrictions for Unit #1.
In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall restrict the gasoline throughput for Unit #1 to less than 294,000 average gallons in any rolling 30-day period.

6.7 12-month rolling gasoline throughput restrictions for Unit #1.
In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall restrict the gasoline throughput for Unit #1 to less than or equal to 107,310,000 gallons per 12-month rolling period.

7.0 PERFORMANCE TESTS

7.1 Performance test may be required.
In accordance with ARSD 74:36:11:02, the Secretary may request a performance test during the term of this permit. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test conducted while operating less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.

7.2 Test methods and procedures.
In accordance with ARSD 74:36:11:01, the owner or operator shall conduct the performance test in accordance with 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an alternative method if a performance test specified in 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not federally applicable or federally required.

7.3 Representative performance test.
In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.

7.4 Submittal of test plan.

In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the proposed test procedures are denied, the Secretary will provide written notification that outlines what needs to be completed for approval.

7.5 Notification of test.

In accordance with ARSD 74:36:11:03, the owner or operator shall notify the Secretary at least 10 days prior to the start of a performance test to arrange for an agreeable test date when the Secretary may observe the test. The Secretary may extend the deadline for the performance test in order to accommodate schedules in arranging an agreeable test date.

7.6 Performance test report.

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:

1. A brief description of the process and the air pollution control system being tested;
2. Sampling location description(s);
3. A description of sampling and analytical procedures and any modifications to standard procedures;
4. Test results;
5. Quality assurance procedures and results;
6. Records of operating conditions during the test, preparation of standards, and calibration procedures;
7. Raw data sheets for field sampling and field and laboratory analyses;
8. Documentation of calculations;
9. All data recorded and used to establish parameters for compliance monitoring; and
10. Any other information required by the test method.

8.0 40 CFR PART 63 SUBPART BBBBBB – GASOLINE DISTRIBUTION

8.1 Requirements for gasoline storage tanks.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11087(a), the owner or operator shall meet the emission limit and maintenance practice as outline below:

1. Each gasoline storage tank with a capacity of less than 75 cubic meters (19,813 gallons) shall be equipped with a fixed roof that is mounted to the storage tank in a stationary manner, and maintain all openings in a closed position at all times when not in use;
2. Each gasoline storage tank with a capacity of greater than or equal to 75 cubic meters (19,813 gallons) shall be equipped with one of the following:
   a. A closed vent system and control device as specified in 40 CFR § 60.112b(a)(3) that reduces emissions of total organic hazardous air pollutants or total organic compounds by 95 weight-percent;

b. An internal floating roof as specified in permit condition 8.6;
c. An external floating roof as specified in 40 CFR § 60.112b(a)(2), except the requirements under 40 CFR § 60.112b(a)(2)(ii) apply only if the storage tank does not meet the requirements of 40 CFR § 60.112b(a)(2)(i);or
d. Equip and operate each internal and external floating roof gasoline storage tank as specified in 40 CFR § 63.1063(a)(1) and (b) and equip each external floating roof gasoline storage tank as specified in 40 CFR § 63.1063(a)(2) if the roof does not meet the requirements specified in 40 CFR § 63.1063(a)(1); and

3. Equip each surge control tank with a fixed roof that is mounted to the tank in a stationary manner, with a pressure/vacuum vent with a positive cracking pressure of no less than 0.50 inches of water, and maintain all openings in a closed position at all time when not in use.

8.2 Testing requirements for gasoline storage tanks.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11088(d), 40 CFR § 63.11087(c) and 40 CFR § 63.11092(e), the owner or operator shall conduct inspections on the gasoline storage tanks as follows:

1. If a gasoline storage tank is equipped with an internal floating roof, the owner or operator shall conduct inspections of the floating roof system according to permit conditions 8.7, 8.8, and 8.9, if you are complying with option 2(b) in permit condition 8.1, or according to the requirements of 40 CFR § 63.1063(c)(1) if you are complying with option 2(d) in permit condition89.1;
2. If a gasoline storage tank is equipped with an external floating roof, the owner or operator shall conduct inspections of the floating roof system according to the requirements of 40 CFR § 60.113b(b) if you are complying with option 2(c) in permit condition 8.1, or according to the requirements of 40 CFR § 63.1063(c)(2) if you are complying with option 2(d) in permit condition 8.1; or
3. If a gasoline storage tank is equipped with a closed vent system and control device, the owner or operator shall conduct a performance test and determine a monitored operating parameter value in accordance with the requirements in 40 CFR § 11092(a) through (d), except that the applicable level of control specified shall be a 95-percent reduction in inlet total organic compounds (TOC) levels rather than 80 mg/l of gasoline loaded.

8.3 Requirements for gasoline loading rack.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11088(a), the owner or operator shall use submerged filling with a submerged fill pipe that is not more than 6 inches from the bottom of the cargo tank at its gasoline loading rack.

8.4 Requirements for equipment leaks.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11089(a), (b), (c), and (d) the owner or operator shall develop a leak detection and repair program that meets the following requirements:

1. Perform a monthly leak inspection of all equipment in gasoline service. The inspection detection methods may include sight, sound, and smell;

2. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service;
3. Detection of a liquid or vapor leak shall be recorded in the log book. If a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak; and
4. Repairs of leaking equipment may be delayed if the repair is not feasible within 15 days.

8.5 Record keeping requirements.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11088(f) and 40 CFR § 63.11094(a), (d), (e), and (g), the owner or operator shall maintain the following records:

1. The records required in permit conditions 8.10, 8.11, and 8.12;
2. Prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program, the record shall contain a full description of the program;
3. The log book for each leak that is detected shall include the following:
   a. The equipment type and identification number;
   b. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e. sight, sound, or smell);
   c. The date the leak was detected and the date of each attempt to repair the leak;
   d. Repair methods applied in each attempt to repair the leak;
   e. "Repair delayed" the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;
   f. The expected date of successful repair of the leak if the leak is not repaired within 15 days; and
   g. The date of successful repair of the leak;
4. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment; and
5. Records of actions taken during periods of malfunctions to minimize emissions, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

8.6 Internal floating roof specifications for tanks.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11087(a) as referenced to 40 CFR § 60.112b(a)(1), the internal floating roof shall meet the following specifications:

1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside the storage vessel. The internal floating roof shall be floating on the liquid surface at all times except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the cover is resting on the leg supports shall be continuous and accomplished as rapidly as possible;
2. The internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

a. A liquid mounted seal. A liquid mounted seal means a foam or liquid filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank; or
b. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof;

8.7 Notification of visual tank inspections.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11092(e), as referenced to 40 CFR § 60.113b(a)(5), the owner or operator shall notify the Secretary 30 days prior to conducting a visual inspection or periodic tank inspection as required in permit condition 8.8 and 8.9. If the visual inspection was not planned and the owner or operator could not have known about the inspection 30 days in advance, the owner or operator shall notify the Secretary at least seven days prior to conducting the inspection. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.

8.8 Visual inspection prior to filling.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11092(e), as referenced to 40 CFR § 60.113b(a)(1), the owner or operator shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service) prior to filling the tank with volatile organic liquid. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

8.9 Periodic tank inspections.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11092(e), as reference to 40 CFR § 60.113b(a)(2) through (4), the owner or operator shall visually inspect the tank on a periodic basis as specified below:

1. If the storage vessel is equipped with a liquid mounted primary seal or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or secondary seal (if one is in service) at least once every 12 months after the initial fill. The visual inspection may be conducted through manholes and roof hatches on the fixed roof. A failure occurs if the internal roof is not resting on the surface of the volatile organic liquid inside the storage vessel, there is liquid accumulated on the roof, the seal is detached, or there are holes or tears in the seal fabric. The owner or operator shall either repair the internal floating roof and/or the primary seal or secondary seal or empty or remove the storage vessel from service within 45 days of discovering a failure. The owner or operator may request a 30-day extension if the tank cannot be repaired or emptied within 45 days of discovering a failure. The written request for the 30-day extension shall be included with the report required in permit condition 9.7. The Secretary will grant a 30-day extension if the extension request documents that alternate storage capacity is unavailable and specifies a schedule of actions the owner or operator will take that will assure that the equipment will be repaired or the vessel will be emptied as soon as possible; and

2. The owner or operator shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If a double seal system is installed, this type of visual inspection shall occur at intervals no greater than five years. A visual inspection of other seal systems shall occur at intervals no greater than 10 years. The owner or operator shall repair internal floating roof defects, holes, tears, or other openings in the primary or secondary seal or the seal fabric, gaskets that no longer close off the liquid surfaces from the atmosphere, or slotted membrane with more than 10 percent open area before refilling the storage vessel with volatile organic liquids.

8.10 Initial tank report.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11094(a), as referenced to 40 CFR § 60.115b(a)(1), the owner or operator shall furnish the Secretary with a report that describes the internal floating roof and certifies the installed internal floating roof meets the specifications in permit condition 8.6. A copy of the report shall be maintained for at least 2 years.

8.11 Tank inspection record.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11094(a), as referenced to 40 CFR § 60.115b(a)(2), the owner or operator shall maintain records of each inspection performed as required by permit condition 8.8 and 8.9. Each record shall identify the tank on which the inspection was performed and shall contain the date the tank was inspected, and the observed condition of the seals, internal floating roof, and fittings. Each record must be maintained for at least two years from the date of such record.

8.12 Tank defect report.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11094(a), as referenced to 40 CFR § 60.115b(a)(3) and (4), if any defects described in permit condition 8.8 and 8.9 are detected during an inspection, a report shall be submitted to the Secretary within 30-days of the inspection. Each report shall identify the storage vessel, the nature of each defect, the date the storage vessel was emptied (if applicable), the date each defect was repaired, and a list of each repair made. A copy of this report must be maintained for at least two years.

8.13 Semiannual compliance report.

In accordance with ARSD 74:36:08:106 as referenced to 40 CFR § 63.11088(f) and 40 CFR § 63.11095(a), (b), (c), and (d), the owner or operator shall submit a semiannual report to the Secretary. The report shall contain the following information:

1. A compliance status of the internal floating roofs;
2. The number of equipment leaks not repaired within 15 days after detection.
3. For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after the detection, the following information shall be submitted
   a. The date on which the leak was detected;
   b. The date of each attempt to repair the leak;
   c. The reasons for the delay of repair; and

d. The date of successful repair

4. The number, duration, and brief description of each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must include a description of action taken by an owner or operator during a malfunction.

The semiannual report shall be postmarked no later than the 30th day following the end of each semiannual period (January 30th and July 30th).

8.14 Increasing gasoline throughput.

In accordance with 40 CFR § 63.11087(a), If the owner or operator operates the facility with an actual throughput equal to or greater than 250,000 gallons per day, additional standard and requirements in 40 CFR Part 63, Subpart BBBBBB may apply. The owner or operator shall apply for and obtain approval from the Secretary for operations greater than 250,000 gallon per day.

Gallon per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365.

9.0 40 CFR PART 63 Subpart R – GASOLINE DISTRIBUTION

9.1 Gasoline throughput and operational parameter restrictions.

In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.420(a)(1) and (c)(1), the owner or operator shall not exceed the value of the gasoline throughput or operational parameters listed in Table 9-1 in any 30-day rolling period.

Table 9-1 – Gasoline Throughput and Operational Parameter Values

CF	T_F	CE	T_E	T_{ES}	T_I	C	K	Q	OE
0.161	0	0	4	0	3	10,000	2.16E-07	1,719,123	0.685

Where:

- CF = Fuel factor (1.0 for reformulated and 0.161 for all other gasoline);
- T_F = The number of fixed roof gasoline storage tanks with no internal floating roofs;
- CE = Control efficiency of the vapor processing system on the storage vessels;
- T_E = The number of external floating roof gasoline storage tanks with only primary roof seals;
- T_{ES} = The number of external floating roof gasoline storage tanks with primary and secondary roof seals;
- T_I = The number of fixed roof gasoline storage tanks with an internal floating roof;
- C = The number of pumps, valves, connectors, load arm valves, and open ended lines in gasoline service;

- K = 4.59E-09(EF+L) for racks without controlled vapor collection and processing systems where:
- EF = emission rate limitation on potential to emit for the gasoline cargo tank loading rack vapor process (miligrams per liter);
- L = 13 milligrams per liter for gasoline cargo storage tanks meeting the test criteria for a vapor tight gasoline tank truck;
- Q = Gasoline throughput limit in barrels per day (convert to liters/day); and
- OE = Total HAP from other emission sources not specified by the other parameters.

9.2 Proposed change to gasoline throughput or operational parameters.

In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.420(c)(2) and 63.428(i)(4), the owner or operator may submit a written notice to request a change to the gasoline throughput or any operational parameters listed in Table 10-1 prior to an exceedance of the gasoline throughput or operational parameter. The written notice shall consist of the following:

1. Name of facility, permit number, and reference to this permit condition;
2. A description of the change and the potential emissions resulting from the change;
3. A written proposal that lists the existing operational parameters, operational parameter changes, the screening equation, and the result of the screening equation;
4. The proposed schedule for changing the operational parameter(s); and
5. A signed certification as described in permit condition 5.3.

A request to change the gasoline throughput or operational parameter in Table 9-1 is considered a minor permit amendment if the proposed change is entered in Equation 9-1 and result in a value of "E_T" less than one and the Secretary determines no other state or federal requirements are applicable. A proposed change that results in an "E_T" equal to or greater than one is considered a permit modification.

Equation 9-1 – Screening Equation for an Area Source

$$E_T = CF\left[4.59(T_F)(1-CE) + 0.17(T_E) + 0.08(T_{ES}) + 0.038(T_I) + 8.5\times10^{-6}(C) + KQ\right] + 0.04(OE)$$

Where:

- E_T = Emissions screening factor for bulk gasoline terminals;
- CF = Fuel factor (1.0 for reformulated and 0.161 for all other gasoline);
- T_F = The number of fixed roof gasoline storage tanks with no internal floating roofs;
- CE = Control efficiency of the vapor processing system on the storage vessels;
- T_E = The number of external floating roof gasoline storage tanks with only primary roof seals;
- T_{ES} = The number of external floating roof gasoline storage tanks with primary and secondary roof seals;
- T_I = The number of fixed roof gasoline storage tanks with an internal floating roof;
- C = The number of pumps, valves, connectors, load arm valves, and open ended lines in gasoline service;
- K = 4.5E-9(EF + L) for racks with controlled vapor collection and processing system;

- EF = emission rate limitation on potential to emit for the gasoline cargo tank loading rack vapor processor outlet emissions (35 mg/l);
- L = 13 mg per liter for gasoline cargo tanks meeting the requirement to satisfy the test criteria for a vapor tight gasoline tank truck in§ 60.51;
- Q = Gasoline throughput limit in barrels/day (convert to liters/day); and
- OE = Total HAP from other emission sources not specified by the other parameters.

9.3 NESHAP for gasoline distribution requirements.

A proposed change to an operational parameter in Table 9-1 that results in an "E_T" value equal to or greater than one as calculated by Equation 9-1 will require the owner or operator to comply with ARSD 74:36:08:12, as referenced to 40 CFR, Part 63, Subpart R before the proposed change may be implemented.

9.4 Daily gasoline throughput and operational parameter records.

In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.420(c)(2) and 40 CFR § 63.428(i)(2), the owner or operator shall maintain daily records and a 30 day rolling total to document that the gasoline throughput and operational parameters listed in Table 9-1 have not been exceeded.

9.5 Annual gasoline throughput and operational parameter report.

In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.420(c)(2) and 40 CFR § 63.428(i)(3), the owner or operator shall submit an annual report to the Secretary. The annual report shall include the following information:

1. Name of facility, permit number, reference to this permit condition, identifying the submittal as an annual report, and calendar dates covered in the reporting period; and
2. A statement that the gasoline throughput and operational parameters in Table 9-1 have not been exceeded during the reporting period.

The annual report must be postmarked no later than 30 days (January 30th) after the end of the reporting period.

10.0 STORAGE TANK REQUIREMENTS

10.1 Internal floating roof specifications for tanks

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.112b(a)(1), the owner or operator shall install and maintain a fixed roof with an internal floating roof on Tank #12-1. The internal floating roof shall meet the following specifications:

1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside the storage vessel. The internal floating roof shall be floating on the liquid surface at all times except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling

when the cover is resting on the leg supports shall be continuous and accomplished as rapidly as possible;

2. The internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

    a. A liquid mounted seal. A liquid mounted seal means a foam or liquid filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank;

    b. A double-seal system. A double-seal system is two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor mounted, but both seals must be continuous; or

    c. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof;

3. Each opening in a non-contact internal floating roof, except for automatic bleeder vents and the rim space vents, is to provide a projection below the liquid surface;

4. Each opening in the internal floating roof, except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains, is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when in use;

5. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the leg supports. Rim vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting;

6. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening;

7. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover; and

8. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

10.2 Tank dimension records

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.116b(a) and (b), the owner or operator shall maintain records showing the dimension and an analysis showing the capacity of Tank #12-1. These records must be maintained for the life of the tank.

10.3 Record of products stored in tanks

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.116b(a) and (c), the owner or operator shall maintain a record of the volatile organic liquid stored, the period of storage, and the maximum true vapor pressure of the liquid during the respective storage period for Tank #12-1. These records must be maintained for at least two years from the date of such record.

10.4 Tank inspection record

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR §§ 60.115b(a)(2) and 60.116b(a), the owner or operator shall maintain records of each inspection performed as required by permit condition K.7 and K.8. Each record shall identify the tank on which the inspection was performed and shall contain the date the tank was inspected, and the observed condition of the seals, internal floating roof, and fittings. Each record must be maintained for at least two years from the date of such record.

10.5 Notification of visual tank inspections

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.113b(a)(5), the owner or operator shall notify the Secretary 30 days prior to conducting a visual inspection or periodic tank inspection of Tank #12-1 as required in permit condition K.7 and K.8. If the visual inspection was not planned and the owner or operator could not have known about the inspection 30 days in advance, the owner or operator shall notify the Secretary at least seven days prior to conducting the inspection. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.

10.6 Tank defect report

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR §§ 60.115b(a)(3) and (4) and 60.116b(a), if any defects described in permit condition K.7 and K.8 are detected during an inspection, a report shall be submitted to the Secretary within 30-days of the inspection. Each report shall identify the storage vessel, the nature of each defect, the date the storage vessel was emptied (if applicable), the date each defect was repaired, and a list of each repair made. A copy of this report must be maintained for at least two years.

10.7 Visual inspection prior to filling

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.113b(a)(1), the owner or operator shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service) prior to filling Tank #12-1 with volatile organic liquid. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

10.8 Periodic tank inspections

In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.113b(a)(2) through (4), the owner or operator shall visually inspect Tank #12-1 on a periodic basis as specified below:

1. If the storage vessel is equipped with a liquid mounted primary seal, mechanical shoe primary seal, or double seal system, visually inspect the internal floating roof and the primary seal or secondary seal (if one is in service) at least once every 12 months after the initial fill. The visual inspection may be conducted through manholes and roof hatches on the fixed roof. A failure occurs if the internal roof is not resting on the surface of the volatile organic liquid inside the storage vessel, there is liquid accumulated on the roof, the seal is detached, or there are holes or tears in the seal fabric. The owner or operator shall either repair the internal floating roof and/or the primary seal or secondary seal or empty or remove the storage vessel from service within 45 days of discovering a failure. The owner or operator may request a 30-day extension if the tank cannot be repaired or emptied within 45 days of discovering a failure. The written request for the 30-day extension shall be included with the report required in permit condition K.6. The Secretary will grant a 30-day extension if the extension request documents that alternate storage capacity is unavailable and specifies a schedule of actions the owner or operator will take that will assure that the equipment will be repaired or the vessel will be emptied as soon as possible; and

2. The owner or operator shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If a double seal system is installed, this type of visual inspection shall occur at intervals no greater than five years. A visual inspection of other seal systems shall occur at intervals no greater than 10 years. The owner or operator shall repair internal floating roof defects, holes, tears, or other openings in the primary or secondary seal or the seal fabric, gaskets that no longer close off the liquid surfaces from the atmosphere, or slotted membrane with more than 10 percent open area before refilling the storage vessel with volatile organic liquids.

10.9 Storage tank alarm

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall install, operate, and maintain an alarm system on Tank #12-1 that warns the owner or operator when the liquid surface drops below the height of the support legs.

11.0 STANDARDS FOR BULK GASOLINE TERMINALS

11.1 Vapor collection system design and emission limit

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(a) and (b), the owner or operator shall equip the gasoline loading rack with a vapor collection system designed to collect the total organic compounds vapors displaced from the tank trucks during product loading. The emissions to the atmosphere from the vapor collection system due to the loading of liquid product in to gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.

11.2 Product loading into vapor-tight gasoline tank trucks

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(e), liquid product shall only be loaded into vapor-tight gasoline tank trucks, in which the owner or operator has implemented the following procedures:

1. Obtain vapor tightness documentation described in permit condition 11.12 for each gasoline tank truck loaded at the facility;
2. Record the tank identification number as each gasoline tank truck is loaded at the facility;
3. Within two weeks after the corresponding tank is loaded, crosscheck each tank identification number obtained in paragraph (2) with the file of tank vapor tightness documentation;
4. If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter;
5. If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually;
6. If either the quarterly or semiannual cross-check reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met;
7. Notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the facility within three weeks after the loading has occurred; and
8. Take steps to assure that the non-vapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained**.**

11.3 Vapor collection system compatibility

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(f), the owner or operator shall act to assure loading of gasoline tank trucks are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

11.4 Vapor collection systems connected during product loading

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(g), the owner or operator shall act to assure the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck. Examples of action to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the loading rack.

11.5 Gauge pressure limit in the delivery tank.

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(h), the vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 Pascal during product loading. This level shall not be exceeded when measured by the procedures specified in permit condition 11.10.

11.6 Pressure vacuum vent design

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(i), the pressure vacuum vent in the bulk gasoline terminal's vapor collection system shall not begin to open at a system pressure less than 4,500 Pascal.

11.7 Monthly leak detection during product loading

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(j), the owner or operator shall inspect the vapor collection system, the vapor processing system, and the loading rack handling gasoline each calendar month during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. Leak detection methods incorporating sight, sound, or smell are acceptable. Each leak detected shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

11.8 Monitoring for leaks before testing

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.503(b), immediately before the performance test required to determine compliance with permit condition 11.1 or 11.5, the owner or operator shall use 40 CFR Part 60 Appendix A, Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 10,000 parts per million (as methane) or greater before conducting the performance test.

11.9 Vapor combustor performance test requirements

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.503(c), the owner or operator shall conduct an initial performance test to demonstrate compliance with permit condition 11.1 within 60 days after achieving maximum operating rate or within 180 days

of initial startup, whichever is later. The initial performance tests and any proceeding performance tests shall comply with the following procedures:

1. The performance test shall be six hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete six hour period. If the test is resumed the following day, the 300,000 liter criterion does not have to be met. However, as much as possible, testing should be conducted during the six hour period in which the highest throughput normally occurs;
2. If the vapor combustor is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor combustor. If this does not occur automatically, the system shall be manually controlled;
3. The emission rate of total organic compounds shall be computed using Equation 11-1;

Equation 11-1 – Total Organic Compound Emission Rate

$$E = K \sum_{i=1}^{n} \left(\left(V \right]_{esi} \times C_{ei} \right) \div \left(L \times 10^{6} \right) \right)$$

Where:

- E = Emission rate of total organic compound, in milligrams per liter of gasoline loaded;
- V_{esi} = Volume of air-vapor mixture exhausted at each interval (i), in standard cubic meters;
- C_{ei} = Concentration of total organic compounds at each interval (i), in parts per million;
- L = Total volume of gasoline loaded, in liters;
- n = Number of testing intervals;
- i = Emission testing interval of 5 minutes; and
- K = Density of calibration gas, 1.83 x 10^6 for propane and 2.41 x 10^6 for butane, in milligrams per standard cubic meter.

4. The performance test shall be conducted in intervals of 5 minutes. For each interval "i", readings from each measurement shall be recorded and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted;
5. 40 CFR Part 60, Appendix A, Method 2B shall be used to determine the volume of air-vapor mixture exhausted at each interval;
6. 40 CFR Part 60, Appendix A, Method 25A or 25B shall be used to determine the total organic compound concentration at each interval. The calibration gas shall be either

propane or butane. The owner or operator may exclude the methane and ethane content in the exhaust vent by any method that is approved by the Secretary; and

7. During the performance test, the volume of gasoline (L) dispensed from the loading rack shall be determined from terminal records or readings from gasoline dispensing meters at the loading rack.

11.10 Performance tests for vapor collection and liquid loading equipment

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.503(d), the owner or operator shall conduct an initial performance test to demonstrate compliance with permit condition 11.5 within 60 days after achieving maximum operating rate or within 180 days of initial startup, whichever is later. The initial performance tests and any proceeding performance tests shall comply with the following procedures:

1. A pressure measurement device (i.e., liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 millimeters of water gauge pressure with ±2.5 millimeter of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck; and
2. During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded. The highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

11.11 Tank truck vapor tightness documentation

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(a), the tank truck vapor tightness documentation required by paragraph (1) in permit condition 11.2 shall be maintained on file in a permanent form at the terminal.

11.12 Tank truck vapor tightness documentation annual update

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(b), the owner or operator shall update each gasoline tank truck file at least once per year to reflect current test results as determined by 40 CFR Part 60 Appendix A Method 27. This documentation shall include the following information at a minimum:

1. Test title: Gasoline Delivery Tank Pressure Test – 40 CFR Part 60 Appendix A Method 27;
2. Tank owner and address;
3. Tank identification number;
4. Testing location;
5. Date of test;
6. Tester name and signature;
7. Witnessing inspector, if any: name, signature, and affiliation; and
8. Test results: Actual pressure change in 5 minutes, millimeters of water (average for 2 runs).

11.13 Monthly leak inspection record

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(c), the owner or operator shall maintain for at least two years, a record of each monthly leak inspection required under permit condition 11.7. At a minimum, the following information must be contained in the file:

1. Date of inspection;
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak);
3. Leak determination method;
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days); and
5. Inspector name and signature.

11.14 Record of notifications

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(d), the owner or operator shall maintain documentation of all notifications required in paragraph (7) of permit condition 11.2 for at least two years.

11.15 Alternative recordkeeping requirements

In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(e), the owner or operator may comply with the following as an alternative to keeping records at the terminal for each gasoline cargo tank test results required in permit condition 11.11, 11.13, and 11.14:

1. An electronic copy of each record is instantly available at the terminal provided the copy of each record is an exact duplicate image of the original paper record with certifying signatures and the Secretary is notified in writing that the terminal is in compliance with this requirement; or
2. If the owner or operator uses a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (i.e., via a card lock-out system), a copy of the documentation is made available (i.e., via facsimile) for inspection by permitting authority representatives during the course of a site visit or within a mutually agreeable time frame.

12.0 EMERGENCY GENERATOR MACT REQUIREMENTS

12.1 Date to comply with emergency generator requirements

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6595(a)(1), the owner or operator shall comply with the applicable requirements specified in this chapter on and after May 3, 2013.

12.2 Maintenance requirements for emergency generator

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6603(a), the owner or operator shall:

1. Change oil and oil filter every 500 hours of operation or annually, whichever comes first;
2. Inspect air cleaner every 1,000 hours or operation, or annually, whichever comes first; and
3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

If an emergency generator is operating during an emergency and it is not possible to shut down the engine in order to perform the maintenance requirements on the schedule or if performing the maintenance requirements on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the maintenance requirements can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The maintenance requirements should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. The owner or operator must report any failure to perform the maintenance requirements on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable**.**

12.3 Minimizing emissions from emergency generator

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6605, the owner or operator shall be in compliance with the requirements in this chapter at all times. The owner or operator shall at all times operate and maintain the emergency generator, including associated monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if the requirements in this chapter have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on available information which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the emergency generator.

12.4 Operate emergency generator according to manufacturer's instructions

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6625(e) and 63.6640(a), the owner or operator shall operate and maintain the emergency generator according to the manufacturer's emission-related written instructions or develop a maintenance plan which provides to the extent practicable for the maintenance and operation of the emergency generator in a manner consistent with good air pollution control practice for minimizing emissions.

12.5 Installation and operation of a non-resettable hour meter

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6625(f) and 63.6635(a) and (b), the owner or operator shall install, operate, and maintain a non-resettable hour meter on the emergency generator. Except for a non-resettable hour meter malfunction and associated repairs, the non-resettable hour meter must monitor the operation of the emergency generator continuously at all times the emergency generator is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the non-resettable hour meter.

Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

12.6 Minimizing startup time

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6625(h), the owner or operator shall minimize the emergency generator's time spent at idle during startup and minimize the emergency generator's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

12.7 Alternative maintenance schedule

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6625(i), the owner or operator may utilize an oil analysis program in order to extend the specified oil change requirement in permit condition 12.2. The oil analysis must be performed at the same frequency specified for changing the oil in permit condition 12.2. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows:

1. Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
2. Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or
3. Percent water content (by volume) is greater than 0.5.

If all of these condemning limits are not exceeded, the owner or operator is not required to change the emergency generator's oil. If any of the limits are exceeded, the owner or operator must change the emergency generator's oil within 2 days of receiving the results of the analysis. If the engine is not in operation when the results of the analysis are received, the owner or operator must change the emergency generator's oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

12.8 Operation of emergency generator

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6640(f), the owner or operator shall operate the emergency generator according to the following requirements:

1. There is no time limit on the use of emergency generator in emergency situations;
2. The owner or operator may operate the emergency generator for the purpose of maintenance checks and readiness testing, provided the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the emergency generator. Maintenance checks and readiness testing of the emergency generator is limited to 100 hours per year. The owner or operator may petition the Secretary for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating Federal, State, or local standards require maintenance and testing of the emergency generator beyond 100 hours per year; and

3. The owner or operator may operate the emergency generator up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except the owner and operator may operate the emergency generator for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The emergency generator may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the emergency generator operation must be terminated immediately after the owner or operator is notified the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph, as long as the power provided by the financial arrangement is limited to emergency power.

Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (1) through (3) of this permit condition, is prohibited. If the owner or operator does not operate the engine according to the requirements in this permit condition, the emergency generator will no longer be considered an emergency generator and will need to meet all applicable requirements for non-emergency generator in 40 CFR §§ 63.6580 through 63.6675, inclusive.

12.9 Recordkeeping for emergency generator

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6655 and 63.6660, the owner or operator shall maintain the following records:

1. Records of all required maintenance performed on the emergency generator to demonstrate compliance with permit condition 12.2 or 12.7;
2. Records of all required maintenance performed on the non-resettable hour meter;
3. Records of hours of operation identifying the reason for operation of the emergency generator to demonstrate compliance with permit condition 12.6 and 12.8; and
4. Records of how the owner or operator complied with operating the emergency generator according to the manufacturer's emission-related instruction or the owner or operator's maintenance plan required in permit condition 12.4.

All records shall be maintained in a form suitable and readily available for expeditious review for 5 years following the date of each occurrence, measurement, maintenance, report or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site.

12.10 Circumvention not allowed.

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.4(b), no owner or operator shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to the use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere.

13.0 RECOMMENDATION

A review of this facility indicates it can operate in compliance with South Dakota's Air Pollution Control rules and the federal Clean Air Act. The Secretary, therefore, recommends that the Board of Minerals and Environment issue this operating permit with conditions to ensure compliance with SDCL 34A-1 and the federal Clean Air Act. Any questions pertaining to the Secretary's recommendation should be directed to Keith Gestring, Engineer, at (605) 677-6165.